UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,979	Nobutaka Nakashima	081356-0253

INTERNATIONAL APPLICATION NO.	
PCT/JP04/05585	
I.A. FILING DATE	PRIORITY DATE
04/19/2004	04/21/2003

22428
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

CONFIRMATION NO. 7959

371 FORMALITIES LETTER

OC000000019367444

Date Mailed: 06/22/2006

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,979	PCT/JP04/05585	081356-0253

FORM PCT/DO/EO/922 (371 Formalities Notice)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	ATTORNEY'S DOCKET NUMBER 081356-0253
	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/553,979

INTERNATIONAL APPLICATION NO. PCT/JP2004/005585	INTERNATIONAL FILING DATE 04/19/2004	PRIORITY DATE CLAIMED 04/21/2003

TITLE OF INVENTION
PROCESS FOR PRODUCING RECOMBINANT PROTEIN IN BACTERIUM BELONGING TO THE GENUS RHODOCOCCUS

APPLICANT(S) FOR DO/EO/US
Nobutaka NAKASHIMA & Tomohiro TAMURA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.

2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.

3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☐ The US has been elected (Article 31).

5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))

    ☐ is attached hereto (required only if not communicated by the International Bureau).

    ☐ has been communicated by the International Bureau.

    ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)

6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
    ☐ is attached hereto.
    ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    ☐ are attached hereto (required only if not transmitted by the International Bureau).
    ☐ have been communicated by the International Bureau.
    ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    ☐ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☐ A preliminary amendment.

14. ☐ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825

18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information: Amendment in Response to Notice Under 37 CFR 1.821-825; Copy of Notice to Comply; Paper Copy of Sequence Listing w/Statement to support Filing & Submission in Accordance w/37 CFR 1.821-1.825.

FORM PTO-1390 (Modified)

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) 10/553,979	INTERNATIONAL APPLICATION NO. PCT/JP2004/005585	ATTORNEY'S DOCKET NUMBER 081356-0253

The following fees have been submitted:			
21. ☐ Basic national fee		$300	$
22. ☐ Examination fee			
If International preliminary examination report prepared by USPTO and all claims satisfy			$
provisions of PCT Article 33(1)-(4)		$100	
All other situations		$200	
23. ☐ Search fee			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the			
USPTO as an International Searching Authority		$100	
International Search Report prepared and provided to the Office		$400	
All other situations		$500	$
TOTAL OF ABOVE 21, 22 and 23 =			$

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $ for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
248 - 100 =	148 /50 =	3	x $250.00	$

Surcharge of $130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))	$	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	13 - 20 =	0	x $ 50.00	$	
Independent Claims	1 - 3 =	0	x $ 200.00	$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $ 360.00	$	
			TOTAL OF ABOVE CALCULATIONS =	$	

☐ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.	+	$
	SUBTOTAL =	$

Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	$
TOTAL NATIONAL FEE =	$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property	$
TOTAL FEES ENCLOSED =	$

Amount to be refunded:	
charged:	

a. ☐ Check in the amount of $0.00 to cover the above fees are enclosed.

b. ☐ Please charge my Deposit Account No. 19-0741 in the amount of $0.00 to cover the above fees.
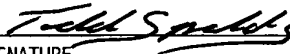A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0741. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Foley & Lardner LLP
Customer Number: 22428

SIGNATURE

Todd N. Spalding

NAME

55,638

REGISTRATION NUMBER

Date: August 7, 2006